

Amendment under 37 CFR §1.111
Attorney Docket No.: 053077
Application No.: 10/548,409

REMARKS

Claims 1-14 are pending in the present application. Claims 1-3, 5 and 10-13 are herein amended. Claims 7-9 have been withdrawn by the Examiner.

Claim Rejections – 35 U.S.C. §112

Claims 1-3, 5 and 10-13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Appropriate amendments to claims 1-3, 5 and 10-13 have been made. No new matter has been added. Applicants respectfully submit that claims 1-3, 5 and 10-13 are in full compliance with 35 U.S.C. §112.

Claims 12-14 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner considers these claims unclear because claim 11 sets forth that said plate can be provided as a first plate and a second plate. Applicants respectfully disagree with the Examiner's position because claims 12-14 do not refer to claim 11, but instead are dependent from claim 10. As such, claims 12-14 clearly refer to the plate as defined by claim 10. Thus, Applicants respectfully submit that claims 12-14 are in full compliance with 35 U.S.C. §112.

Claim Rejections – 35 U.S.C. §103

Claims 1, 3-5 and 10-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Huelsman et al (U.S. 5,694,701), and claims 2 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Huelsman et al (U.S. 5,694,701) as applied to claim 1 in view of Andes et al (U.S. 6,238,472). Favorable reconsideration of these rejections is earnestly solicited.

In the Office Action, it is the Examiner's position that Huelsman discloses a slow rate of evaporation, which renders Applicants' claimed method obvious. However, according to an experiment by the Applicant, reported in the attached Declaration, the evaporation rate disclosed in Huelsman is $2.3 \text{ g/m}^2\text{s}$. The differences in the evaporation rates of Huelsman and Applicants are vastly different and thus lead to differences in the drying of the coating solution on the substrate. Since Huelsman discloses a faster evaporation rate than that required by Applicants' claimed method, Applicants respectfully request that the Examiner reconsider this rejection.

In addition, there is no motivation within Huelsman to reduce the evaporation rate from $2.3 \text{ g/m}^2\text{s}$ to a lower rate. One of ordinary skill in the art who refers to Huelsman would not have been motivated to slow down the evaporation rate; rather one would have been motivated to speed up the evaporation rate since Huelsman teaches drying by evaporation of the liquid from the coated substrate. This is vastly different from Applications' claimed method, which requires a slow rate of evaporation in order to achieve even drying of the coating solution upon the substrate.

Also, in the Office Action, the Examiner asserts that while Huelsman does not explicitly disclose the evaporation rate, it would have been obvious to one skilled in the art at the time of the invention that evaporation rate is a result effective variable which can be controlled by controlling the height of the gap and the temperature differential between the coated substrate and the condensing service. Applicants respectfully disagree. One of ordinary skill in the art would have been motivated to increase the evaporation rate taught by Huelsman, not slow it down, as discussed above. Huelsman teaches away from a slow evaporation rate by requiring conditions which increase condensation on the substrate plate. Thus, even if the evaporation rate

Amendment under 37 CFR §1.111
Attorney Docket No.: 053077
Application No.: 10/548,409

is a result effective variable, Huelsman does not render Applicants' required slow evaporation rate obvious because Huelsman motives only a high evaporation rate.

Based on the following remarks as well as the accompanying declaration and experimental data, Applicants respectfully request that the obviousness rejection be withdrawn.

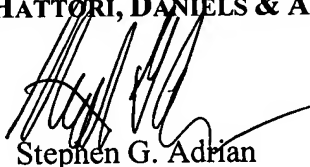
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Stephen G. Adrian
Attorney for Applicants
Registration No. 32,878
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

SGA/BKM/adp

Attachment: Declaration under 37 C.F.R. §1.132